

## **Town Board Minutes**

October 3, 2016

Meeting No. 29

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 3<sup>rd</sup> day of October 2016 at 7:00 P.M. and there were

**PRESENT:** JOHN ABRAHAM, COUNCIL MEMBER  
DAWN GACZEWSKI, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
MATTHEW WALTER, COUNCIL MEMBER  
JOHANNA COLEMAN, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** DIANE TERRANOVA, TOWN CLERK  
KEVIN LOFTUS, TOWN ATTORNEY  
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER  
GERALD GILL, CHIEF OF POLICE  
MARK LUBERA, PARK CREW CHIEF  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES  
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU  
MICHELLE BARBARO, HIGHWAY DEPARTMENT

### **PERSONS ADDRESSING TOWN BOARD:**

**Chowaniec, Lee**, spoke to the Town Board on the following matters:

- Questions regarding union contracts as they relate to the budget.
- Comments on the preparation of the Town Budget and the expertise of that office.

**Kazmierczak, Tom**, spoke to the Town Board on the following matter:

- Question concerning police protection during tax collection.

**Walters, Eric**, spoke to the Town Board on the following matter:

- Questions regarding Public Hearings scheduled for October 17, 2016.

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 1 Community Development  
Block Grant Funds

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY  
COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was opened.

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested  
persons upon a Community Development Block Grant Funds matter.

The affidavits of publication and posting of this Public Hearing are on file  
and a copy of the Legal Notice has been posted.

<b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Proponent/ Opponent/ Comments/Question</b>
None	
ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 7:17 P.M.	

Decision on this matter was reserved.

October 3, 2016

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 2 V & T Ordinance Parking,  
Standing & Stopping Hidden Pines Subdivision

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY  
COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was opened.

At 7:17 P.M., the Town Board held a Public Hearing to hear all interested  
persons upon a V & T Ordinance Parking Standing & Stopping Hidden Pines Subdivision  
matter.

The affidavits of publication and posting of this Public Hearing are on file  
and a copy of the Legal Notice has been posted.

<b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Proponent/ Opponent/ Comments/Question</b>
Melissa Smith	Proponent
ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 7:19 P.M.	

Decision on this matter was reserved.

October 3, 2016

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 3 Local Law: Procurement – Best Value Contracts

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was opened.

At 7:19 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Local Law Procurement – Best Value Contracts matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Proponent/ Opponent/ Comments/Question</b>
None	

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 7:21 P.M.

Decision on this matter was reserved.

October 3, 2016

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 4 Local Law: Taxation – Tax Levy Limit Override

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was opened.

At 7:21 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Local Law: Taxation – Tax Levy Limit Override matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Proponent/ Opponent/ Comments/Question</b>
Carmen Hangauer	Comments/Questions

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 7:26 P.M.

Decision on this matter was reserved.

October 3, 2016

**PRESENTATION OF PREFILED RESOLUTIONS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**RESOLVED,** that the minutes of the Joint Meeting of the Town Board and the Planning Board held September 19, 2016 and the Regular Meeting of the Town Board held September 19, 2016 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk  
by the Assistant to the Supervisor, to wit:

Claim No. 45869 to Claim No. 45997 Inclusive

Total amount hereby authorized to be paid: \$663,016.55

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

- (SW) = Sidewalks as required by Chapter 12-1B of the Code of the Town of Lancaster are waived for this permit.  
(CSW) = Conditional sidewalk waiver  
(V/L) = Village of Lancaster

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
25881		RJ Zima Inc.	72 Tranquility Trl	Inst. Ingrnd. Sprinkler	
25882		Shaun & Marie Babcock	871 Erie St	Dem/Er Decks	
25883		Shaun & Marie Babcock	871 Erie St	Er. Deck	
25884		Stanley Gregor	690 Pleasant View Dr	Er. Deck	
25885		Thomas M. Slawatycki	97 Field Ave	Er. Deck	(V/L)
25886		Danl & Susan Bequard	39 Hemlock Ln	Re-Roof	
25887		Robert A. Mecca	50 Cedar Brook Dr	Er. Fence	
25888		Cameron Olejniczak	459 Central Ave	Er. Shed	
25889		William & Lynn Ferguson	13 Banner Ave	Re-Roof	(V/L)
25890		James E. Wagner	5 Rose St	Er. Porch	
25891		Ryan Braun	3509 Walden Ave	Re-Roof	(V/L)
25892		Winnomotive Properties	4304 Walden Ave	Er. Sign - Temp	
25893		James Pauly	146 Siebert Rd	Re-Roof	
25894		Matthew & Amy Hoffman	105 Bowen Ave	Inst. Generator	(V/L)
25895		Scott & Deborah Vincheski	6481 Broadway	Re-Roof	
25896		Besroi Construction	8 Riemers Ave	Re-Roof	
25897		Besroi Construction	84 Olde Stone Ln	Re-Roof	
25898		David Gabamonte	66 Fourth Ave	Re-Roof	(V/L)
25899		David & Holly Staffeldt	214 Brunck Rd	Re-Roof	
25900		Robert Kathleen Babcock	42 Iroquois Ave	Re-Roof	(V/L)
25901		Stockmohr Co., Inc.	60 Sawyer Ave	Re-Roof	(V/L)
25902		James & Laurie Augustynek	8 Cambridge Ct	Er. Shed	
25903		Sahlems Roofing & Siding Inc.	47 Pleasant View Dr	Re-Roof	
25904		James M. Fusco	242 Aurora St	Inst. Generator	(V/L)
25905		Bradley & Karen Bassano	35 Camner Ave	Er. Shed	(V/L)
25906		David & Melissa Skurzewski	59 Rose St	Er. Deck	
25907		Sturdi Built Sheds LLC	47 Worthington Ln	Er. Shed	
25908		John R. Phillips	304 Schwartz Rd	Re-Roof	
25909		Jason Pfeffer	591 Lake Ave	Re-Roof	
25910		Brian Turton	5472 Broadway	Er. Porch Cover	(V/L)
25911		David & Susan Chaves	3670 Bowen Rd	Er. Garage	
25912		Robert & Ruth Crowe	28 Jonquille Ct	Inst. Ingrnd. Sprinkler	
25913		Bill Griffin	19 Stream View Ln	Inst. Generator	
25914		Building Solutions	5160 William St	Re-Roof	
25915		Jas & Christine Krieger	94 Pheasant Run Ln	Inst. Generator	
25916		Joseph & Kristine Karnath	11 Bridlepath Ln	Er. Res. Add.	
25917		Joseph & Laura Szeffel	49 Trentwood Trl N	Er. Porch Cover	
25918		Buffalo Bus. Brokers & Realty	420 Aurora St	Er. Porch	
25919		Buffalo Bus. Brokers & Realty	420 Aurora St	Er. Garage	
25920		Clifford Kois	1861 Como Park Blvd	Re-Roof	(V/L)
25921		David Kosmider	30 Central Ave	Er. Sign – Wall	(V/L)
25922		Marleta Stansberry	53 Lake Ave	Inst. Generator	(V/L)
25923		Sun Enterprises Inc.	5176 William St	Er. Shed	
25924		James & Tara Salge	56 Woodgate Dr	Er. Pool-In Grnd	
25925		Mr. Pool Enterprises Ltd.	56 Woodgate Dr	Er. Fence	
25926		Autowave	1035 Ransom Rd	Er. Fence	
25927		TSC Construction LLC	933 Ransom Rd	Cell Tower Co-location	
25928		Besroi Construction	1142 Penora St	Re-Roof	
25929		Huron Sprinklers	5530 William St	Inst. Ingrnd. Sprinkler	
25930		NVR Inc. dba Ryan Homes of NY	41 Pear Tree Ln	Er. Shed	
25931		Town of Lancaster	0 Vandenberg Ave	Er. Fence	(V/L)
25932		Marrano/Marc Equity Corp.	14 Denton Dr	Er. Townhouses	
25933		Marrano/Marc Equity Corp.	16 Denton Dr	Er. Townhouses	
25934		Marrano/Marc Equity Corp.	18 Denton Dr	Er. Townhouses	

25935	Marrano/Marc Equity Corp.	20 Denton Dr	Er. Townhouses	
25936	Marrano/Marc Equity Corp.	22 Denton Dr	Er. Townhouses	
25937	Marrano/Marc Equity Corp.	24 Denton Dr	Er. Townhouses	
25938	Colley's Pool Sales Inc.	29 Ashwood Ct	Er. Pool-In Grnd	
25939	Aaron Connacher	28 Newberry Ln	Er. Shed	
25940	Robert & Karen Machovoe	7 Old Schoolhouse Rd	Er. Fence	
25941	Colleen Zack	19 Wilma Dr	Er. Res. Add	(V/L)
25942	Fairway Hills Development	30 Pear Tree Ln	Er. Dwlg.-Sin.	
25943	Brian & Lynette Fritschi	19 Tranquility Trl	Er. Fence	
25944	James Corey	93 Aurora St	Er. Deck	(V/L)
25945	Peter and Olga Krasnov	33 Michael's Walk	Er. Fence	
25946	Paul Blatner	28 Whitestone Ln	Inst. Generator	
25947	Frank & Karen Fina	1 Whitestone Ln	Er. Fence	
25948	Daniel & Julie Curtis	732 Aurora St	Er. Shed	
25949	Sam4Buffalo Inc.	82 Irwinwood Rd	Er. Fence	(V/L)
25950	Sitzmans Appliance Center	2 Northbrook Ct	Inst. Generator	
25951	Essex Homes	47 Tranquility Trl	Er. Dwlg.-Sin.	
25952	Jean Radder	266 Aurora St	Re-Roof	(V/L)

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS,** the Supervisor of the Town of Lancaster has recommended to the Town Board that Monday, October 31, 2016 between the hours of 6:00 P.M. and 8:30 P.M. be set for the observance of Halloween “Trick or Treat” within the Town of Lancaster.

**WHEREAS,** the Supervisor of the Town of Lancaster has consulted with the Mayors of the Villages of Lancaster and Depew who have indicated their approval of the aforementioned date and time of Halloween “Trick or Treat”.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster, hereby declares Monday, October 31, 2016, between the hours of 6:00 P.M. and 8:30 P.M., as the official period during which Halloween “Trick or Treat” activities may be observed within the Town of Lancaster.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, by resolution adopted on September 6, 2016, the Town Board of the Town of Lancaster adopted an amendment to Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster, authorizing the designation of limited parking, standing and stopping locations within the Hidden Pines subdivision, and

**WHEREAS**, due to public opposition to the specified timeframes within the resolution the Town Board has decided to reexamine the issue and consider a different option;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the resolution adopted September 6, 2016, adopting an amendment to Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster, authorizing the designation of limited parking, standing and stopping locations within the Hidden Pines subdivision is hereby rescinded.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, Highway Superintendent, Daniel Amatura, has been made aware of the issues arising from the catch basin on Pheasant Run Lane within the Countryside subdivision in the Town of Lancaster and has requested repairs be done, and

**WHEREAS**, in accordance with the Town of Lancaster’s Procurement Policy the Highway Superintendent hired Gerald Wagner to make the necessary repairs in the amount of \$2,280.00 per his quote dated September 13, 2016, and

**WHEREAS**, the work has been completed and funding for the repair to the catch basin (brick manhole/grate) on Pheasant Run Lane within the Countryside subdivision in the Town of Lancaster is available from the Drainage Budget Line Item 001-8540-0426.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the contract for the repair to the catch basin (brick manhole/grate) on Pheasant Run Lane within the Countryside subdivision to Gerald Wagner, 7193 Bolles Road, West Falls, NY 14170-9610 in accordance with his quote dated September 13, 2016 in the amount not to exceed \$2,280.00 and to be paid for with funds available from the Drainage Budget Line Item 001-8540-0426.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS**, the Town Board is considering the construction of a 3-Lot Single Family Subdivision to be known as Apple Blossom Boulevard submitted by Fairway Hills Development, LLC., to be located South of Apple Blossom Boulevard in the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on September 19, 2016 and recommended that a Negative Declaration be issued, and

**WHEREAS**, the Town Board has duly considered the plans for the building, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

**WHEREAS**, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

**WHEREAS**, the proposed action has been labeled an “Unlisted” action under SEQRA.

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

1. This project is described as the necessary approvals and/or permits to develop a 3-lot single-family residential development located on 0.72± acres fronting on Apple Blossom Boulevard in the Town of Lancaster, NY. Additional work will include an extension of a sewer line and service connections for the houses. The proposed project (“action”) includes all discretionary approvals and/or permits from the Town of Lancaster and involved agencies and will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein..
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

**NEGATIVE DECLARATION**  
**Determination of Non-Significance**

**Town of Lancaster Town Board**

**Dated: October 3, 2016**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed construction of a 3-Lot Single Family Subdivision to be known as Apple Blossom Boulevard to be located at South of Apple Blossom Boulevard. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Apple Blossom Boulevard – 3 Lot Development.

**Location of Action:** South of Apple Blossom Boulevard, Lancaster, New York 14086, Erie County.

**SEQR Status:** Unlisted

**Description of Action:** the necessary approvals and/or permits to develop a 3-lot single-family residential development located on 0.72± acres fronting on Apple Blossom Boulevard in the Town of Lancaster, NY. Additional work will include an extension of a sewer line and service connections for the houses. The proposed project (“action”) includes all discretionary approvals and/or permits from the Town of Lancaster and involved agencies.

**Reasons Supporting this Determination:** Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.

8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

**For Further Information:**

Contact Person:	Kevin E. Loftus, Town Attorney
Address:	Town of Lancaster 21 Central Avenue Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, the Town Board is considering the construction of a new 12,935± sq. ft. single story metal building addition to include office space and warehouse storage to an existing building by Precision Scale and Balance, to be located at 140 Rotech Drive in the Town of Lancaster, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on September 19, 2016 and recommended that a Negative Declaration be issued, and

**WHEREAS**, the Town Board has duly considered the plans for the building, the long Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

**WHEREAS**, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

**WHEREAS**, the proposed action has been labeled a “Type 1” action under SEQRA.

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

1. This project is described as construction of 12,935 square foot, (1) story building addition to the existing building. The purpose of the addition is to allow for shop space and warehouse storage associated with the existing business on 2.2 acres will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein..
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

**NEGATIVE DECLARATION**  
**Determination of Non-Significance**

**Town of Lancaster Town Board**

**Dated: October 3, 2016**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed construction of a 12,935± sq. ft. metal building by Precision Scale & Balance to be located at 140 Rotech Drive. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Precision Scale & Balance Metal Building Addition

**Location of Action:** 140 Rotech Drive, Lancaster, New York 14086, Erie County.

**SEQR Status:** Type I

**Description of Action:** the construction of a 12,935 square foot, (1) story building addition to the existing building. The purpose of the addition is to allow for shop space and warehouse storage associated with the existing business on 2.2± acres in the Town of Lancaster, NY.

**Reasons Supporting this Determination:** Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. **Impact on land - Small impact.**
  - The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing surface.
2. **Impact on Geological Features – No impact.**
3. **Impacts on Surface Water – No impact.**
4. **Impact on Groundwater – No impact.**
5. **Impact on Flooding – No impact.**
6. **Impact on Air – No impact.**

7.    **Impact on Plants and Animals – No impact.**
8.    **Impact on Agricultural Resources – No impact.**
9.    **Impact on Aesthetic Resources – No impact.**
10.   **Impact on Historic and Archeological Resources – No Impact.**
11.   **Impact on Open Space and Recreation – No Impact.**
12.   **Impact on Critical Environmental Areas – N/A**
  - The Town of Lancaster has not established a Critical Environmental Area (CEA).
13.   **Impact on Transportation – No impact.**
14.   **Impact on Energy – No impact.**
15.   **Impact on Noise, Odor and Light – No impact.**
16.   **Impact on Human Health – No impact.**
17.   **Consistency with Community Plans – No impact.**
18.   **Consistency with Community Character – No impact.**

**For Further Information:**

Contact Person:	Kevin E. Loftus, Town Attorney
Address:	Town of Lancaster 21 Central Avenue Lancaster, New York 14086
Telephone Number:	(716) 684-3342



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS, M. DeMeis**, on behalf of **Precision Scale & Balance**, has submitted a site plan prepared by **Sutton Architecture**, dated July 18, 2016, with a revision date of August 3, 2016 and received September 15, 2016 for the proposed construction of a 12,935± sq. ft. single story metal building addition to include office space and warehouse storage to an existing building located at 140 Rotech Drive, in the Town of Lancaster, and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was approved at their August 3, 2016 meeting, and

**WHEREAS**, the Town, acting as lead agency has completed an environmental review on September 6, 2016, in conformance with SEQR (State Environmental Quality Review) regulations and on September 19, 2016 a Negative Declaration was issued;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by **M. DeMeis**, on behalf of **Precision Scale & Balance** and prepared by **Sutton Architecture**, dated July 18, 2016, with a revision date of August 3, 2016 and received September 15, 2016 for the proposed construction of a 12,935± sq. ft. single story metal building addition to include office space and warehouse storage to an existing building located at 140 Rotech Drive, in the Town of Lancaster with the following condition:

- Provide a stamped survey indicating the northern addition of the property as a truck turn around.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS, Fairway Hills Development, LLC.,** 2730 Transit Road, West Seneca, New York 14224 has heretofore applied for approval of a three (3) single family home development to be known as “Apple Blossom Boulevard Subdivision” located south of Apple Blossom Boulevard (SBL No. 127.07-3-28) in the Town of Lancaster, and

**WHEREAS,** the survey was submitted to the Planning Board and was approved at their July 6, 2016 meeting, and

**WHEREAS,** the Town, acting as lead agency has completed an environmental review on September 6, 2016, in conformance with SEQR (State Environmental Quality Review) regulations and on September 19, 2016 a Negative Declaration was issued, and

**WHEREAS,** the Town Board of the Town of Lancaster has duly reviewed and considered the proposed subdivision;

**NOW, THEREFORE, BE IT  
RESOLVED,** as follows:

1. That the Town Board of the Town of Lancaster hereby approves the proposed three (3) single family home development located south of Apple Blossom Boulevard (SBL No. 127.07-3-28) as prepared by Greenman-Pedersen, Inc., dated April 2016, with a revision date of July 1, 2016 and filed with the Town Clerk on July 19, 2016 for said development to be known as “Apple Blossom Boulevard Subdivision” with the following condition:

- Street lighting to be installed by developer as required for the project.

2. That the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the mylar copy thereof and to attend to the filing of said 3-lot single family home development subdivision map in the Erie County Clerk’s Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Collective Negotiations Settlement Memorandum dated September 13, 2016 between the Town of Lancaster and the Civil Service Employees Association (CSEA), Town of Lancaster Blue Collar Unit, as presented, for a successor collective negotiation agreement with a stated term of January 1, 2012 through and including December 31, 2018.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER WALTER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, grant monies are available through the New York State Unified Court System to enhance the operation and security of municipal Justice Courts;

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Justice Court is authorized to submit a grant application to request up to the maximum amount available, and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor and Town Court Justices be and hereby are authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster desires to repair the Holland Avenue Culvert and is in need of professional engineering services for the inspection and estimate of the culvert replacement project, and

**WHEREAS**, in accordance with the Town of Lancaster’s Professional Services Procurement Policy the Highway Superintendent hired DiDonato Associates, P.E., P.C.to inspect and estimate the cost of the culvert replacement, and

**WHEREAS**, by letter dated September 21, 2016, Highway Superintendent Daniel Amatura, has requested payment be made to DiDonato Associates, P.E., P.C. for the amount of \$1,440.00 per their invoice dated September 14, 2016, with funds available from the Town Engineering Budget Line Item A1440-0411.

**NOW, THEREFORE, BE IT  
RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the payment for the inspection and estimate of the Holland Avenue Culvert Replacement Project to DiDonato Associates, P.E., P.C., 689 Main Street, Buffalo, New York 14203, in the amount of \$1,440.00 per their invoice dated September 14, 2016, to be paid for with funds available from the Town Engineering Budget Line Item A1440-0411.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS**, by resolution adopted December 17, 1990, the Town Board of the Town of Lancaster adopted an amendment to Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster, authorizing the designation of no parking, standing and stopping locations (within the Deer Cross subdivision), specifically §46-12(A)(36)(37)(38)(39) and §46-13(A)(36)(37)(38)(39), and

**WHEREAS**, due to public opposition and grammatical errors the Town Board has decided to reexamine the issue and consider a different option;

**NOW, THEREFORE, BE IT  
RESOLVED**, that sections §46-12(A)(36)(37)(38)(39) and §46-13(A)(36)(37)(38)(39) of the resolution adopted December 17, 1990, authorizing an amendment to Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster, designating limited parking, standing and stopping locations (within the Deer Cross subdivision), is hereby rescinded.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, §1660 (18) Vehicle and Traffic Law of the State of New York authorizes the Town to restrict and prohibit the parking of vehicles on all roads within the Town except State Highways, and

**WHEREAS**, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER";

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17<sup>th</sup> day of October, 2016, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published in the Lancaster Bee newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

**LEGAL NOTICE  
PUBLIC HEARING  
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE  
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK  
DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 3<sup>rd</sup> day of October, 2016, the said Town Board will hold a Public Hearing on the 17<sup>th</sup> day of October, 2016 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

**CHAPTER 46**

**ARTICLE X – Parking, Standing, and Stopping**

46-12. Parking prohibited in designated locations, is hereby amended by adding thereto the following:

**B. The parking of vehicles is hereby prohibited in any of the following locations from November 15 to March 15:**

**1. Deer Cross Subdivision.**

- (a) On the North side of Via Donato from the property line border between lots 25 and 27 spaced 100' apart heading east around both bends ending at the property line border between lots 29 and 31.
- (b) On the South side of Via Donato from the intersection with Via Tripodi heading west, spaced 100' apart and ending at the property line border between lots 26 and 24.
- (c) On the South side of Via Donato from the intersection with Via Tripodi heading east, spaced 100' apart and ending at the property line border between lots 36 and 38
- (d) On the East side of Via Tripodi, two signs, first sign placed 30' from the centerline of William Street, second sign placed 100' thereafter.
- (e) Centerline of Both sides of Via Tripodi island median.

**C. The parking of vehicles is hereby prohibited from here to the corner in any of the following locations:**

**1. From November 15 to March 15.**

**(A) Deer Cross Subdivision.**

- (1) On the West side of Via Tripodi, placed 130' from the centerline of William Street.

*and*

**ARTICLE X – Parking, Standing, and Stopping**

46-13. Standing prohibited in designated locations, is hereby amended by adding thereto the following:



**B. The parking of vehicles is hereby prohibited in any of the following locations from November 15 to March 15:**

**(1). Deer Cross Subdivision.**

- (a) On the North side of Via Donato from the property line border between lots 25 and 27 spaced 100' apart heading east around both bends ending at the property line border between lots 29 and 31.**
- (b) On the South side of Via Donato from the intersection with Via Tripodi heading west, spaced 100' apart and ending at the property line border between lots 26 and 24.**
- (c) On the South side of Via Donato from the intersection with Via Tripodi heading east, spaced 100' apart and ending at the property line border between lots 36 and 38**
- (d) On the East side of Via Tripodi, two signs, first sign placed 30' from the centerline of William Street, second sign placed 100' thereafter.**
- (e) Centerline of Both sides of Via Tripodi island median.**

**C. The parking of vehicles is hereby prohibited from here to the corner in any of the following locations:**

**1. From November 15 to March 15.**

**(A) Deer Cross Subdivision.**

- (1) On the West side of Via Tripodi, placed 130' from the centerline of William Street.**

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: DIANE M. TERRANOVA  
Town Clerk**

October 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS**, Sean Hopkins, Esq., on behalf of Brian Young and Young Development Inc., has submitted a site plan prepared by Carmina\*Wood\*Morris, PC, dated July 2016, with a revision date of September 7, 2016, and received September 22, 2016, for the proposed construction of four (4) three-story buildings with 26 upscale residential units per building (total 104 units) with detached garages, parking spaces and related site improvements, to be known as **Edgewater Apartment Homes West** located at 00 (SBL Nos. 116.00-1-8.2 & 116.00-1-8.1) Broadway, in the Town of Lancaster, and

**WHEREAS**, the site plan for this project was submitted to the Planning Board and was approved at their September 7, 2016 meeting, and

**WHEREAS**, the Town, acting as lead agency has completed an environmental review for the rezone on June 20, 2016, in conformance with SEQR (State Environmental Quality Review) regulations and on July 5, 2016 a Negative Declaration was issued.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Sean Hopkins, Esq., on behalf of Brian Young and Young Development Inc., and prepared by Carmina\*Wood\*Morris, PC, dated July 2016, with a revision date of September 7, 2016, and received September 22, 2016, for the proposed construction of four (4) three-story buildings with 26 upscale residential units per building (total 104 units) with detached garages, parking spaces and related site improvements, to be known as **Edgewater Apartment Homes West** located at 00 Broadway (SBL Nos. 116.00-1-8.2 & 116.00-1-8.1), with the following conditions:

1. The landscaping be planted as depicted on the updated Landscaping Plan prepared by Carmina Wood Morris DPC including the landscaping added to the Landscaping Plan on the southern portion of the Project Site.
2. The Declarations of Restrictions prohibiting hunting on the Project Site and the previously approved Edgewater site at 5828 Broadway Street and also requiring the protection of the 7.75 acres of Permanent Open Space on the parcels shall be recorded at the Erie County Clerk's Office and recorded copies shall be provided to the Town Attorney's Office, Town Clerk's Office, Building Department and Town Engineer.
3. The Declaration of Easements for the Project Site and the previously approved Edgewater site at 5828 Broadway Street shall be recorded at the Erie County Clerk's Office and a recorded copy shall be provided to the Town Attorney's Office, Town Clerk's Office, Building Department and Town Engineer.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has held a public hearing on September 19, 2016, pursuant to Chapter 50-Zoning, Section 46 entitled Special use permits, of the Code of the Town of Lancaster upon the application of **Tim Krantz**, the owner of C.J. Krantz Topsoil Inc., for a Special Use Permit to conduct Topsoil Shredding on premises locally known as 4106 Walden Avenue, Lancaster, New York, currently zoned Light Industrial (LI), in the Town of Lancaster, Erie County, New York, and

**WHEREAS**, persons for and against such Special Use Permit have had an opportunity to be heard;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Chapter 50-Zoning, Section 24 Light Industrial District (LI),(B) Permitted Uses, (2) Accessory Structures and Uses of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Tim Krantz**, the owner of C.J. Krantz Topsoil Inc, for the property locally known as 4106 Walden Avenue, in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions:

- 1. Must comply with dust control requirements in Town Code §50-27(D)(1).
- 2. All areas from which topsoil is removed shall, during the period between April 1 and May 15 or August 15 and October 1, be prepared into a loose level seed bed, limed, fertilized, and seeded.
- 3. All permits shall expire on January 1 of each year. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.
- 4. Conform to the specified hours of operation as stated in §38-4(I).
- 5. Applicant will maintain roadways to include curbing protection, silt runoff protection, and remove all dirt and mud from pavement areas as stated in Chapter 43.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS,** §1660 (18) Vehicle and Traffic Law permits the Town to designate the location of stop signs and no-passing zones affecting town roads outside of the Villages of Lancaster and Depew, and

**WHEREAS,** the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

**NOW, THEREFORE, BE IT**

**RESOLVED,** that pursuant to §130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17<sup>th</sup> day of October, 2016, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing will be published in the Official Newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

**LEGAL NOTICE**  
**PUBLIC HEARING**  
**AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE**  
**TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**  
**DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN** that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 3<sup>rd</sup> day of October, 2016, the said Town Board will hold a Public Hearing on the 17<sup>th</sup> day of October, 2016, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

**CHAPTER 46**

**Article STOP INTERSECTIONS; NON-INTERSECTION STOPS;  
YIELD INTERSECTIONS**

**46-8.1 Stop Intersections designated, is hereby amended by adding  
thereto following:**

**Deer Cross Subdivision**

<b>STREET NAME</b>	<b>INTERSECTING STREET</b>	<b>SIGN LOCATION</b>
<b>Via Donato East</b>	<b>Via Tripodi</b>	<b>N.E. Corner</b>

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: DIANE M. TERRANOVA  
Town Clerk**

October 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated September 29, 2016, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Kathleen Patrzyk (new hire) Depew NY	Cleaner	\$12.00	October 11, 2016

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED** that the Town Board of the Town of Lancaster hereby approves the Collective Negotiations Settlement Memorandum dated September 23, 2016 between the Town of Lancaster and the Civil Service Employees Association (CSEA), Town of Lancaster White Collar Unit, as presented, for a successor collective negotiation agreement with a stated term of January 1, 2012 through and including December 31, 2018.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS**, Up State Tower Co, LLC (the “Applicant”) has submitted an application for a special use permit, site plan approval, and request for a lease agreement for a telecommunications tower at Mohawk Place (BUF-602B) in the Town of Lancaster; and

**WHEREAS**, the Zoning Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a Communication Tower Special Use permit for a use as proposed;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Chapter 50-Zoning, Article VII(A), §41.8, entitled "Communication Towers, Procedure" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit, site plan approval, and request for a lease agreement for a telecommunications tower at Mohawk Place (BUF-602B) on premises locally known as SBL No. 104.08-4-25, in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17<sup>th</sup> day of October 2016, at 7:15 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the official newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

**TOWN OF LANCASTER**  
**NOTICE OF PUBLIC HEARING ON APPLICATION FOR SPECIAL USE PERMIT,**  
**SITE PLAN APPROVAL, AND LEASE AGREEMENT FOR A**  
**TELECOMMUNICATIONS TOWER**  
**MOHAWK PLACE (BUF-602B), LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in Chapter 50-Zoning, Article VII(A), §41.8, entitled "Communication Towers, Procedure"" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 3<sup>rd</sup> day of October, 2016 the said Town Board will hold a Public Hearing on the 17<sup>th</sup> day of October, 2016, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly approving a special use permit application, a site plan, and a lease agreement for a proposed telecommunications tower (applied for by Up State Tower Co., LLC) at property located at Mohawk Place, Town of Lancaster (SBL No. 104.08-4-25). Copies of the proposed applications can be reviewed at Town Hall. All interested persons will be given the opportunity to be heard.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE**  
**TOWN OF LANCASTER**

**BY:           DIANE M. TERRANOVA**  
**Town Clerk**

October 6, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER WALTER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**NOW THEREFORE,**  
**BE IT RESOLVED,** the Town Board of the Town of Lancaster (a)  
hereby approves, as presented, the 2016-2017 Tactical Diversion Squad Task Force  
Agreement and the Tactical Diversion Squad Task Force Equitable Sharing Agreement,  
between the Town of Lancaster and the United States Department of Justice, Drug  
Enforcement Administration, and (b) hereby authorizes Gerald Gill, the Town Police Chief, to  
execute said Agreements on behalf of the Town.

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER WALTER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, Mark Lubera, Park Crew Chief of the Parks Recreation & Forestry Department of the Town of Lancaster, has requested that 100’ of 4’ high and 20’ of 3’ high chain link fencing be placed on top of the existing wooden guard rail on the north side of the new Lancaster Library parking lot as an added safety measure, and

**WHEREAS**, by letter dated September 26, 2016, Mark Lubera, has recommended that the Town of Lancaster award the project for the installation of fencing atop the existing guardrail at the Lancaster Library parking lot to Oneida Fence Inc., in the amount of \$3,220.00, per their quote dated September 13, 2016, and

**WHEREAS**, funding for the fencing improvement is available from the Library Fund, Branch Line Item 01.7410.0449.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby awards the project and authorizes the Supervisor of the Town of Lancaster to execute the quote for the installation of 100’ of 4’ high and 20’ of 3’ high chain link fencing be placed on top of the existing wooden guard rail on the north side of the new Lancaster Library parking lot to Oneida Fence, Inc., 100 Drullard Avenue, Lancaster, New York 14086 in accordance with their quote dated September 13, 2016 in the amount not to exceed \$3,220.00, to be paid for with funds available from the Library Fund, Branch Line Item 01.7410.0449 and authorizes the Supervisor of the Town of Lancaster to execute same.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER WALTER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster Town Code provide for the adoption and enactment of local laws, and

**WHEREAS**, a proposed Local Law of the Year 2016 entitled “PROCUREMENT”, and further designated as Chapter 6, ARTICLE I, BEST VALUE CONTRACTS, of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Supervisor Coleman on the 19<sup>th</sup> day of September, 2016, and

**WHEREAS**, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has determined the action is a Type II action under SEQR, and

**WHEREAS**, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on October 3, 2016, where all interested parties were allowed to address the proposed Local Law;

**WHEREAS**, the Town Board of the Town of Lancaster after due review and deliberation finds it in the best interest of the Town to adopt said Local Law.

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

- 1. The attached Local Law No. 4 of 2016 is hereby adopted.
- 2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

**LEGAL NOTICE  
NOTICE OF ADOPTION  
LOCAL LAW NO. 4 OF THE YEAR 2016  
TOWN OF LANCASTER**

**PLEASE TAKE NOTICE** that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on October 3, 2016 Local Law No. 4 of the Year 2016, which amends the Town of Lancaster Code, by enacting Chapter 6, Procurement, Article I, Best Value Contracts, which is on file for review in the Town Hall and on the Town of Lancaster's website, <http://www.lancasterny.gov>.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By:     DIANE M. TERRANOVA  
Town Clerk**

October 6, 2016

**Town of Lancaster  
Local Law No. of 2016**

**A Local Law Amending the Town of Lancaster Code to Enact Chapter 6. Procurement.  
Article I. Best Value Contracts.**

**Be it hereby enacted by the Town Board of the Town of Lancaster as follows:**

**Section 1:** Chapter 6. Procurement. Article I. Best Value Contracts.is hereby added to the Town of Lancaster Town Code to read in its entirety as follows:

**Chapter 6 – Procurement.**

**Article I. Best Value Contracts.**

**§6-1. Legislative Intent.**

New York State General Municipal Law §103(1) allows the Town to authorize, by Local Law, the award of certain purchase contracts, including contracts for service work subject to competitive bidding and/or competitive request for proposals under General Municipal Law §103 on the basis of either lowest responsible bidder or “best value” as defined in §163 of the New York State Finance Law. The “best value” option may be used, for example, if it is more cost efficient over time to award the good or service to other than the lowest responsible bidder or offerer if factors such as lower cost of maintenance, durability, higher quality and longer product life can be documented.

**§6-2. Award Based on Low Bid or Best Value Procurement.**

The Town Board may award purchase and service contracts pursuant to competitive bidding and/or competitive request for proposals under General Municipal Law §103 on the basis of either lowest responsible bidder or “best value”, as the term is defined in New York State Finance Law §163. All awards based on lowest bidder or best value shall require Town Board approval.

**§6-3. Applicability.**

The provisions of this chapter apply to Town purchase contracts involving an expenditure of more than \$20,000.00 and Town contracts for services involving an expenditure of more than \$35,000.00 but excludes purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the State Labor Law and any other contract that may in the future be excluded under the state law from the best value option. If the dollar thresholds of General Municipal Law §103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be deemed simultaneously amended to match the new General Municipal Law thresholds.

**§6-4. Standards for Best Value.**

Goods and services procured and awarded on the basis of best value are those that the Town Board determines optimizes quality, cost and efficiency among responsive and responsible bidder or offerer. The determination shall be based on an objective analysis of clearly described and documented criteria as they apply to the rating of bids of offers. Where possible, such determination shall also be based upon and include a quantifiable analysis of the same. The criteria may include, but shall not be limited to, any or all of the following: cost of maintenance, proximity to the end use if distance or response time is a significant term; durability; availability or replacement parts or maintenance contractors; and longer product life; product performance criteria; and quality of craftsmanship.

**§6-5. Basis for Determination.**

Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

**§6-6. Severability.**

**If any section, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgement made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.**

**§6-7 Effective Date.**

**This local law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law.**

**Section 2:** Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

**Section 3:** Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER WALTER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, by resolution adopted on May 16, 2016 the Town Board of the Town of Lancaster authorized payment to CVM Electric, Inc., to provide lighting for the newly built Lancaster Library parking lot on School Street in the amount of \$9,690.00 and to be paid for with funds coming from the Town’s General Fund, and

**WHEREAS**, due to an administrative error the funding should have been listed as coming from the Capital Project Fund #180 “Lancaster Library Fund Project”, and

**WHEREAS**, the Town Board of the Town of Lancaster has reviewed this matter and determined that the May 16, 2016 resolution should be amended as requested.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the resolution adopted May 16, 2016 authorizing payment to CVM Electric, Inc., to provide lighting for the newly built Lancaster Library parking lot on School Street in the amount of \$9,690.00 with funding coming from the Town’s General Fund, be and is hereby amended to indicate the correct funding source as the Capital Project Fund #180 “Lancaster Library Fund Project”.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS,** Gerald Gill, Police Chief for the Town of Lancaster, by electronic communication dated September 27, 2016, has recommended the appointment of Tiffany M. Walters to the position of Public Safety Dispatcher in the Town of Lancaster Police Department, and

**WHEREAS,** Tiffany M. Walters qualifies for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that Tiffany M. Walters of Depew, New York, be and is hereby appointed to the position of Public Safety Dispatcher in the Town of Lancaster Police Department, effective October 17, 2016 at an annual salary of \$38,567.00, on step, which represents 75% of the full salary of \$51,423.00, with terms and conditions of employment in accordance with the current collective bargaining agreement between the Town of Lancaster and the Lancaster Dispatcher Employee Association and

**BE IT FURTHER,**

**RESOLVED,** that Tiffany M. Walters is required to comply with the Town of Lancaster’s Residency Law in order to maintain her appointment and

**BE IT FURTHER,**

**RESOLVED,** that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Town of Lancaster is required under U.S. Department of Transportation rules as contained in 49 CFR; Parts 40, 382, 391, 392 and 395 to have some or all of its employees enrolled in a random drug/alcohol testing program, and

**WHEREAS**, the Highway Department currently utilizes Healthworks-WNY, LLP to provide this service which requires employees to go to their off-site facility for said testing which can cause a disruption in employee attendance, and

**WHEREAS**, by letter dated September 29, 2016, the Highway Superintendent has requested On-Site Employee Testing, be retained as the Town’s drug testing company, this company comes to the Town for specimen collection, the benefit being immediate random drug testing with little employee absence or wait time, at costs outlined on the fee schedule provided with their contract, and

**WHEREAS**, the Town Board of the Town of Lancaster, after due deliberation, finds it in the best interest of the Town to enter into the contract with On-Site Employee Testing which is set to begin upon the Town’s execution of the contract and which renews automatically on a yearly basis thereafter unless written notice is given by either party to terminate.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby terminates the current arrangement with Healthworks-WNY, LLP and authorizes the Supervisor to execute the contract with On-Site Employee Testing to provide Town employee drug testing at costs outlined on the fee schedule provided with their contract to renew automatically on a yearly basis from the date of the Town’s execution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, Dan Amatura, Highway Superintendent, has requested the purchase of a storage tank and handling equipment to be used with wetting agent and salt when needed as weather and temperature dictate, for use by the Highway Department, and

**WHEREAS**, the Highway Superintendent, requested three (3) quotes for the purchase of the storage tank and handling equipment in accordance with the Town of Lancaster’s Procurement Policy, and

**WHEREAS**, by letter dated September 29, 2016, Daniel Amatura has recommended that the Town of Lancaster purchase the storage tank and handling equipment from Central Equipment, LLC., in the amount of \$9,144.16 per their quote dated September 28, 2016, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, The Town Board of the Town of Lancaster hereby approves the purchase of a storage tank and handling equipment from Central Equipment, LLC., 1361 Tow Path Road, Port Byron, New York 13140 as proposed by Highway Superintendent, Daniel Amatura, for an amount not to exceed \$9,144.16 per their quote dated September 28, 2016; this sum will be paid from the Highway Department’s Budget Line Item 13-5142-0435.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

October 3, 2016

## **COMMUNICATIONS & REPORTS**

- 587. Park Crew Chief to Planning Board and Town Board Members –  
No issues with site plan for BVC Medical Office, 6337 Transit Rd.,  
Proj. #1686; recommendation noted. Disposition = Planning Committee**
- 588. Buckeye Partners, L.P. to Supervisor –  
Notice of upcoming activity along pipeline right-of-way in Lancaster.  
Disposition = Building Inspector**
- 589. Planning Board Chairman to Planning Board, Town Board, Engineering  
Consultant, Town Attorney, Highway Superintendent, and Building Inspector –  
Draft copy of minutes from September 7, 2016 Planning Board meeting.  
Disposition = Planning Committee**
- 590. Highway Superintendent to Jean Farmer, Supervisor's Office –  
Invoice from DiDonato Engineering for inspection, report and estimate  
Replacement for the Holland Avenue culvert. Disposition = Resolution 10/3/16**
- 591. Highway Superintendent to Town Board –  
Information regarding sale of Town property for cell towers on South  
Penora. Disposition = Town Attorney & Planning Committee**
- 592. Town Attorney to NYSDEC, Erie County DPW, Erie County Health Dept.,  
Division of Sewerage Management, NYSDOT and Erie County DEP –  
Request for lead agency designation regarding BVC Medical Office Parking  
Expansion, 6337 Transit Rd., Proj. #1686. Disposition = Planning Committee**
- 593. Charter Communications to Supervisor –  
Developments affecting Time Warner Cable subscribers in the Western  
New York Division. Disposition = Received & Filed**
- 594. Town Attorney to Town Board and Planning Board –  
SEQR response for Erie County Dept. of Environment & Planning regarding  
Edgewater Apartments, 00 & 5828 Broadway, Proj. #1382.  
Disposition = Planning Committee**
- 595. Town Attorney to Town Board and Planning Board –  
SEQR response for Erie County Dept. of Environment & Planning regarding  
Basil Resale Center Renovation, 5111 Transit Rd., Proj. #1506.  
Disposition = Planning Committee**
- 596. Town Attorney to Town Board and Planning Board –  
SEQR response for Erie County Dept. of Public Works regarding Autowave,  
1035 Ransom Rd., Proj. #8442. Disposition = Planning Committee**
- 597. Town Attorney to Town Board and Planning Board –  
SEQR response for Erie County Dept. of Environment & Planning regarding  
Site Plan Royal Car Wash, 6645 Transit Rd., Proj. #2260.  
Disposition = Planning Committee**
- 598. Iroquois Central School District to Town Clerk –  
Certification of Iroquois CSD School Tax Rate for Town of Lancaster-Revised.  
Disposition = Received & Filed**
- 599. Erie County Court to Supervisor –  
Notice of Sale of In Rem No. 164, Index No. 2016-600142 on October 13, 2016.  
Disposition = Received & Filed**
- 600. Hull House Foundation President to Supervisor –  
Thank you for continuing support and request for budget appropriation in  
Town's 2017 fiscal year. Disposition = Received & Filed**

- 601. Roger Amadori to Lancaster Historical Society Directors –  
Balance Sheet and Income Statement of the Lancaster Historical Society for 2014.  
Disposition = Received & Filed**
- 602. Roger Amadori to Lancaster Historical Society –  
Balance Sheet and Income Statement of the Lancaster Historical Society for 2013.  
Disposition = Received & Filed**
- 603. Roger Amadori to Lancaster Historical Society –  
Balance Sheet and Income Statement of the Lancaster Historical Society for 2012.  
Disposition = Received & Filed**
- 604. Roger Amadori to Lancaster Historical Society –  
Balance Sheet and Income Statement of the Lancaster Historical Society for 2011.  
Disposition = Received & Filed**
- 605. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Environment & Planning regarding  
Buffalo Suburban Church, 5580 Genesee St., Proj. #1674.  
Disposition = Planning Committee**
- 606. Town of Alden Supervisor to Town of Lancaster Supervisor –  
Effective Sept. 25, 2016 at 6:00PM Lancaster Volunteer Ambulance Corps. Inc.  
will become the Town of Alden's contracted ambulance provider.  
Disposition = Town Attorney**
- 607. Village of Lancaster to Town Board –  
Minutes from regular meeting held on August 22, 2016.  
Disposition = Received & Filed**
- 608. Cornell University Cooperative Extension to Supervisor –  
Information regarding public meetings regarding new Cornell University  
Cooperative facility project. Disposition = Received & Filed**
- 609. Highway Superintendent to Town Board –  
Request for resolution approving payment to DiDonato Engineering,  
689 Main St., Buffalo, NY for inspection report and estimate of replacement for  
Holland Avenue Culvert. Disposition = Resolution 10/3/16**
- 610. Highway Superintendent to Town Board –  
Request for resolution approving payment to Gerald Wagner for work related  
to a manhole at Pheasant Run and Pineview Lane.  
Disposition = Resolution 10/3/16**
- 611. Highway Superintendent to Town Board –  
Information regarding recent inquiry to place a cell tower on Town-owned  
property on South Penora. Disposition = Town Attorney & Planning Committee**
- 612. Highway Superintendent to Town Board –  
Information regarding placement of No Parking signs on Via Donato and  
Via Tripodi. Disposition = Resolution 10/3/16**
- 613. Motorcade Chairpersons, Lancaster Central School District to Town Board –  
Request for permission for the Lancaster high School Motorcade to travel  
through the Town of Lancaster on the evening of October 14, 2016.  
Disposition = Police Chief**
- 614. Park Crew Chief to Supervisor –  
No issues with the revised landscape plan for Edgewater Apartment Homes  
West, 5828 Broadway. Disposition = Planning Committee**

615. Joseph David, Realty USA to Supervisor and Planning Board Chairman –  
Letter stating co-ownership of 4 parcels on Wehrle Drive.  
Disposition = Planning Committee
616. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Division of Sewerage Management regarding  
Buffalo Vascular, 6335-6337 Transit Rd., Proj. #1525.  
Disposition = Planning Committee
617. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Public Works regarding Basil Resale  
Center Renovation, 5111 Transit Rd., Proj. #1506.  
Disposition = Planning Committee
618. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Public Works regarding Buffalo  
Vascular, 6335-6337 Transit Rd., Proj. #1525. Disposition = Planning Committee
619. Park Crew Chief to Supervisor and Town Board –  
Request for resolution to award contract for installation of approximately  
100' of 4' high and 20' of 3' high chain link fence on the north side of the new  
library parking lot to Oneida Fence, Inc., 100 West Drullard Ave., Lancaster, NY.  
Disposition = Resolution 10/3/16
620. Town Attorney to Supervisor, Town Board, Planning Board, Building Inspector,  
Town Engineer and Town Clerk –  
Notice of SEQR review on October 3, 2016 at 6:00PM for Site Plan – Apple  
Rubber Expansion, Proj. #2562; and Site Plan – Mohawk Cell Tower Buf-602B,  
Proj.#6023. Disposition = Received & Filed
621. Town Clerk to Various News Media –  
Notice of Special Meeting of Town Board and Planning Board on October 3, 2016  
at 6:00PM for SEQR review for Site Plan – Apple Rubber Expansion, Proj. #2562;  
and Site Plan – Mohawk Cell Tower Buf-602B, Proj. #6023.  
Disposition = Received & Filed
622. Code Enforcement Officer to Town Board –  
Information regarding 5680 Broadway and requirement for rezone from RCO to  
MFR-3. Disposition = Planning Committee
623. Park Crew Chief to Supervisor and Town Board –  
Request for resolution appointing one individual to the position of part-time  
permanent employee in the Parks, Recreation & Forestry Dept. effective  
October 3, 2016. Disposition = Resolution 10/3/16
624. Highway Superintendent to Town Board –  
Request for resolution to hire On-Site Employee Testing, 3786 Big Tree Rd.,  
Hamburg, NY to manage drug and alcohol testing and DOT physicals on-site.  
Disposition = Resolution 10/3/16
625. Highway Superintendent to Town Board –  
Request for resolution to purchase a storage tank and handling equipment to  
Central Equipment, LLC, 1361 Tow Path Rd., Port Byron, NY.  
Disposition = Resolution 10/3/16
626. Iroquois Central School District to Town Clerk –  
Copy of approved resolution regarding acceptance of partial payment for  
payment of property taxes. Disposition = Received & Filed

- 627. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building & Zoning Inspector –  
Draft copy of minutes from September 21, 2016 Planning Board meeting.  
Disposition = Planning Committee**
- 628. Planning Board to Town Board –  
Recommendation memo regarding Site Plan Review-Schuster 3-lot development, northwest corner Harris Hill Rd. and Haskell Dr., Proj. #1610. Conditions noted.  
Disposition = Planning Committee**
- 629. Planning Board to Town Board –  
Recommendation memo regarding rezone petition for Angry Buffalo at Rose Garden Sports Arena, 2753 Wehlre Dr.; condition noted.  
Disposition = Planning Committee**
- 630. Planning Board to Town Board –  
Recommendation memo regarding Site Plan Review-Conversion of two non-conforming multiple dwellings, 5680 Broadway, Proj. # 1143; condition noted.  
Disposition = Planning Committee**
- 631. Police Chief to Town Board –  
Request for resolution to appoint Tiffany Walters to fill the currently vacant existing position of Public Safety Dispatcher. Disposition = Resolution 10/3/16**
- 632. Town Attorney to Town Board and Planning Board –  
SEQR response from Erie County Dept. of Public Works regarding Buffalo Suburban Church, 5580 Genesee St., Proj. #1674.  
Disposition = Planning Committee**
- 633. Police Chief to Town Clerk –  
Articles and communications. Disposition = Received & Filed**



**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY  
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned in memory  
of Brian Babcock at 8:03 P.M.

Signed\_\_\_\_\_

Diane M. Terranova, Town Clerk